

UNOFFICIAL COPY

RECORD OF PAYMENT

0030311230

1. The Selling or Refinancing Borrower ("Borrower") identified below has or had an interest in the property (or in a land trust holding title to the property) identified by tax identification number(s):

5621/0175 18 001 Page 1 of 2  
2003-03-06 09:14:02  
Cook County Recorder 26.00

272 IL 0328985 LPA  
23021308

SEE ATTACHED LEGAL DESCRIPTION



0030311230

Commonly Known As:

330 WEST DIVERSEY PARKWAY, UNIT 1308,  
CHICAGO, ILLINOIS 60657

which is hereafter referred to as the Property.

2. The Property was subjected to a mortgage or trust deed ("mortgage") recorded on 07-24-95 as document number 95480488 in COOK County, granted from DAWN M. BIRCH to BANK OF AMERICA. On or after a closing conducted on 02-17-03, Title Company disbursed funds pursuant to a payoff letter from the Mortgagee, or its agent or assignee (hereinafter "Mortgagee"), for the purpose of causing the above mortgage to be satisfied.

3. This document is not issued by or on behalf of the Mortgagee or as an agent of the Mortgagee. This document is not a release of any mortgage. The extent of any continuing obligation of the Borrower to the Mortgagee is a matter of the contract between them, on which Borrower should seek independent legal advice, and on which subject Title Company makes no implied or express representation, warranty, or promise. This document does no more and can do no more than certify-solely by Title Company, and not as agent for any party to the closing-that funds were disbursed to Borrower's Mortgagee. Any power or duty to issue any legal release of the Mortgagee's mortgage rests solely with the Mortgagee, for whom the Title Company does not act as agent with respect to the subject closing or the subject mortgage. No release of mortgage is being hereby issued by the Title Company. No release of mortgage will be issued by the Title Company, and no mortgage release, if issued by the Mortgagee, will be recorded by the Title Company as a result of the closing, as a result of this document, or as a result of any actual or alleged past practice or prior course of dealing with any party or party's attorney. Title Company makes no undertaking and accepts no responsibility with regard to the mortgage or its release. Borrower disclaims, waives, and releases any obligation of the Title Company, in contract, tort, or under statute with regard to obtaining, verifying, or causing the present or future existence of any mortgage release, or with regard to the recording of any mortgage release, now or in the future.

4. Borrower and Title Company agree that this RECORD OF PAYMENT shall be recorded by Title Company within 60 days of completion of the closing and that upon recordation of the RECORD OF PAYMENT all Title Company's obligations to Borrower shall be satisfied, with Title Company to have no further obligation of any kind whatsoever to Borrower arising out of or relating in any way to this RECORD OF PAYMENT or any mortgage release. The sole and exclusive remedy for Title Company's failure to record within 60 days shall be a refund upon demand of amounts collected from Borrower for recordation of this RECORD OF PAYMENT. Any failure to record shall not negate or affect any other provisions of this RECORD OF PAYMENT.

5. This document is a total integration of all statements by Title Company relating to the mortgage. Borrower represents that no statements or agreements inconsistent with the terms of this record have been made, and that any allegation of any prior statement or representation, implied or express, shall be treated at all times by both parties as superseded by the statements, disclaimers, releases and waivers contained herein. Borrower waives any right to rely on any statement or act alleged to be inconsistent with the terms hercof, unless contained in a writing signed by both parties, which expressly states that it is negating the legal efficacy of this document.

PREPARED BY: ARMANDINA DROGOLEWICZ  
7225-27 W. MADISON ST., FOREST PARK, ILLINOIS 60130

MAIL TO:

Dawn M Birch  
Borrower

Armandina Drogolewicz  
Title Company  
BOX 333-CT  
SCOFFMAY 02 DGG

Legal Description:

RECORD OF PAYMENT

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PARCEL 1:

UNIT 1308 AS DELINEATED ON SURVEY OF THAT PART OF LOT 6 IN ASSESSOR'S DIVISION OF LOTS 1 AND 2 IN THE SUBDIVISION BY THE CITY OF CHICAGO OF THE EAST FRACTIONAL HALF OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES BETWEEN THE EAST LINE OF NORTH SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE) ON THE WEST AND THE WEST LINE OF NORTH COMMONWEALTH AVENUE ON THE EAST (EXCEPT THEREFROM THAT PART LYING NORTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID NORTH OF THE NORTH LINE OF WEST DIVERSEY PARKWAY TO A POINT ON THE WEST LINE OF SAID NORTH COMMONWEALTH AVENUE WHICH IS 227 FEET 10 INCHES NORTH OF THE NORTH LINE OF SAID WEST DIVERSEY PARKWAY); ALSO THAT PART OF LOT 7 IN SAID ASSESSOR'S DIVISION WHICH LIES BETWEEN THE EAST LINE OF NORTH SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE) ON THE WEST, THE WEST LINE OF NORTH COMMONWEALTH AVENUE ON THE EAST, AND NORTH LINE OF WEST DIVERSEY PARKWAY ON THE SOUTH, ALL IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM OWNERSHIP MADE BY AMERICAN NB&TC, A NATIONAL BANKING ASSOCIATION KNOWN AS TRUST NUMBER 11139, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, OF COOK COUNTY, ILLINOIS, AS DOCUMENT 23400546, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT TO CONSTRUCT, USE AND MAINTAIN PARTY WALL WITH WOODEN PILES AND CONCRETE FOOTINGS, SUCH PILES AND FOOTINGS TO EXTEND NOT MORE THAN 3 FEET 6 INCHES UPON THE HEREINAFTER DESCRIBED LAND, AS CREATED BY PARTY WALL AGREEMENT DATED JANUARY 3, 1956 AND RECORDED JUNE 17, 1957 AS DOCUMENT 16931983, THE CENTER OF SAID PARTY WALL COMMENCING APPROXIMATELY 22 FEET WEST OF THE EAST LOT LINE AND EXTENDING WEST APPROXIMATELY 126 FEET ALONG BOUNDARY LINE BETWEEN ABOVE PARCEL 1 AND THE LAND DESCRIBED AS FOLLOWS:: THAT PART OF LOTS 5 AND 6 IN ASSESSOR'S DIVISION OF LOTS 1 AND 2 IN THE SUBDIVISION BY THE CITY OF CHICAGO OF THE EAST FRACTIONAL HALF OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES BETWEEN SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE) ON THE WEST, COMMONWEALTH AVENUE ON THE EAST (EXCEPTING THEREFROM THAT PART LYING SOUTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID NORTH SHERIDAN ROAD WHICH IS 228 FEET 4 3/16THS INCHES NORTH OF THE NORTH LINE OF WEST DIVERSEY PARKWAY TO A POINT ON THE WEST LINE OF SAID NORTH COMMONWEALTH AVENUE WHICH IS 227 FEET 10 INCHES NORTH OF THE NORTH LINE OF SAID WEST DIVERSEY PARKWAY AND SAID STRAIGHT LINE PRODUCED WEST TO THE CENTER LINE OF SAID NORTH SHERIDAN ROAD AND PRODUCED EAST TO THE CENTER OF SAID NORTH COMMONWEALTH AVENUE), IN COOK COUNTY, ILLINOIS.

14-28 206-005-1088

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